

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3  
4 Justin Langford,

5 Plaintiff

6 v.

7 Stan Colton, et al.

8 Defendants

2:16-cv-01581-JAD-CWH

**Order**

[ECF Nos. 3, 5]

9  
10 Justin Langford, an inmate at the High Desert State Prison, brings this civil-rights action.  
11 When it was discovered that he did not pay the \$400 filing fee or submit an application to proceed *in*  
12 *forma pauperis*, the magistrate judge ordered him to pay the fee or submit a completed IFP  
13 application by May 22, 2017, or have this case dismissed.<sup>1</sup> When that deadline passed without  
14 payment or an application, the magistrate judge recommended that I dismiss this case.<sup>2</sup> Langford  
15 objects, explaining that he did not receive the original court order—although he received  
16 correspondence from the court, the papers were from someone else’s case.<sup>3</sup> So he asks for additional  
17 time to respond. He further explains that he is in protective segregated custody with limited law-  
18 library access.

19 Good cause appearing, IT IS HEREBY ORDERED that Langford’s motion to extend time to  
20 either pay the \$400 filing fee or file a completed *in forma pauperis* application [ECF No. 5] is  
21 **GRANTED**. IT IS FURTHER ORDERED that:

22 The Clerk of Court is directed to **SEND** plaintiff the approved form application for a prisoner  
23 to proceed *in forma pauperis* along with the document entitled “Information and Instructions for  
24 Filing an *In Forma Pauperis* Application.”

25  
26 <sup>1</sup> ECF No. 2.

27 <sup>2</sup> ECF No. 3.

28 <sup>3</sup> ECF No. 4.

**Plaintiff has until August 11, 2017,<sup>4</sup> to either (1) file a complete application to proceed *in forma pauperis* on the correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a) (which requires him to complete the application and attach both an inmate account statement for the past six months and a properly executed financial certificate); or (2) pay the full \$400 filing fee (which includes the \$350 filing fee and the \$50 administrative fee). If plaintiff does not fully complete either option 1 or 2 by August 11, 2017, this case will be dismissed without further prior notice.**

The Report and Recommendation for dismissal [3] is **REJECTED** in light of the circumstances.

Dated this 27th day of June, 2017.

Jennifer A. Dorsey  
United States District Judge

<sup>4</sup> Although Langford requested a 120-day extension, the court finds that a four-month extension of time is not reasonable; so the court shortens that extension to a more reasonable one.